

GRIFFITH, STRICKLER, LERMAN, SOLYMOS & CALKINS

By: Robert A. Lerman, Esquire #07490

110 S. Northern Way

York, PA 17403-3737

Attorney for Defendant, Boy Scouts of America

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

M.S., a Minor, by and through his Parents and Natural
Guardians, MICHELLE M.S. and D.S.,

Plaintiffs,

vs.

No.: 1:08-CV-2271

CEDAR BRIDGE MILITARY ACADEMY, FIRST
SERGEANT STEVEN T. BARYLA, YORK-ADAMS
COUNCIL BOY SCOUTS OF AMERICA and BOY
SCOUTS OF AMERICA,

Defendants.

JURY TRIAL DEMANDED

**REPLY OF DEFENDANT, BOY SCOUTS OF AMERICA, TO AFFIRMATIVE
DEFENSES OF DEFENDANTS, CEDAR BRIDGE MILITARY ACADEMY AND FIRST
SERGEANT STEVEN T. BARYLA**

AND NOW come Defendant, Boy Scouts of America, by its counsel Robert A. Lerman and Griffith, Strickler, Lerman, Solymos & Calkins and files the following Reply to Affirmative Defenses of Defendants, Cedar Bridge Military Academy and First Sergeant Steven T. Baryla as follows:

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

1. Denied. The allegations set forth constitute a conclusion of law to which no response is required.

SECOND AFFIRMATIVE DEFENSE

2. Denied as stated. On the contrary, Answering Defendant incorporates herein by reference, its Answer, New Matter and Cross-Claims filed on March 31, 2010, in response to

Plaintiffs Amended Civil Action.

THIRD AFFIRMATIVE DEFENSE

3. Denied as stated and strict proof thereof is demanded.

FOURTH AFFIRMATIVE DEFENSE

4. Denied as stated. At all times relevant, Answering Defendant had no duty to act inasmuch as Answering Defendant did not own, possess, operate or control the camp or the premises upon which the camp was located.

FIFTH AFFIRMATIVE DEFENSE

Denied as stated and strict proof thereof is demanded.

GRIFFITH, STRICKLER, LERMAN, SOLYMOS &
CALKINS

BY: /s/ Robert A. Lerman
Robert A. Lerman, Esquire #07490
Attorney for Defendants, Boy Scouts of America
110 South Northern Way
York, PA 17402-3737 (717) 757-7602

Dated: April 30, 2010

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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Plaintiffs,

vs.

CEDAR BRIDGE MILITARY ACADEMY, FIRST
SERGEANT STEVEN T. BARYLA, YORK-ADAMS
COUNCIL BOY SCOUTS OF AMERICA and BOY
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CERTIFICATE OF SERVICE

AND NOW, this 30th day of April, 2010, I, Robert A. Lerman, a member of the firm of GRIFFITH, STRICKLER, LERMAN, SOLYMOS & CALKINS, hereby certify that I have this date served a copy of the **Reply of Defendant, Boy Scouts of America, to Affirmative Defenses of Defendants, Cedar Bridge Military Academy and First Sergeant Steve T. Baryla** by United States Mail, addressed to the party or attorney of record as follows:

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Military Academy and First Sergeant
Steven T. Baryla

GRIFFITH, STRICKLER, LERMAN, SOLYMOS &
CALKINS

BY: /s/ Robert A. Lerman

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